

PATENT

(Practitioner's Docket No. IN- 5571)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Guido WILKE

Serial No.: 10/089,482

Filed: March 28, 2002

For: Electrically Conducting Hydroprimer For Plastics

Group Art Unit: not yet assigned

Examiner: not yet assigned

Assistant Commissioner of Patents
Washington, D.C. 20231CERTIFICATE OF FACSIMILE TRANSMISSION

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Date: June 10, 2002

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PATENT

(Practitioner's Docket No. IN-5571)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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US Serial No.: 10/089,482

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fax No.: (703) 872-9310 on the date shown below, to
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Sandra Barry
Sandra Barry

**COMMUNICATION FOR SUBMITTING THE ENGLISH TRANSLATION OF THE
INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

Hon. Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Submitted herewith is a copy of the English Translation of the International
Preliminary Examination Report for the above-mentioned patent application.

Applicant believes that no fee is required for submitting the English Translation of the
International Preliminary Examination Report. However, if applicant has inadvertently
overlooked the need for a fee the Commissioner is hereby authorized to charge any
additional fees or credit any overpayment to Deposit Account No. 23-3425.

This form is submitted in triplicate.

Respectfully Submitted,

Michael F. Morgan
Michael F. Morgan
Registration No. 42,906

Date: June 10, 2002
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Customer No. 26922

Translation**PATENT COOPERATION TREATY****PCT****INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

(PCT Article 36 and Rule 70)

7

Applicant's or agent's file reference PAT99175PCT	FOR FURTHER ACTION Sec Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP00/09754	International filing date (day/month/year) 05 October 2000 (05.10.00)	Priority date (day/month/year) 09 October 1999 (09.10.99)
International Patent Classification (IPC) or national classification and IPC C09D 175/06,		
Applicant BASF COATINGS AG		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of _____ sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 26 April 2001 (26.04.01)	Date of completion of this report 18 December 2001 (18.12.2001)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/IPEA/409 (cover sheet) (January 1994)

Received from < 2489482093 > at 6/10/02 10:27:14 AM [Eastern Daylight Time]

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP00/09754

I. Basis of the report

1. This report has been drawn on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):

- ☒ the international application as originally filed.
- ☒ the description, pages 1-43, as originally filed,
pages _____, filed with the demand,
pages _____, filed with the letter of _____,
pages _____, filed with the letter of _____.
- ☒ the claims, Nos. 1-19, as originally filed,
Nos. _____, as amended under Article 19,
Nos. _____, filed with the demand,
Nos. _____, filed with the letter of _____,
Nos. _____, filed with the letter of _____.
- ☐ the drawings, sheets/fig _____, as originally filed,
sheets/fig _____, filed with the demand,
sheets/fig _____, filed with the letter of _____,
sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

Form PCT/ISA/MAC (Rev. 5) (January 1994)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 00/09754

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	12, 15, 17	YES
	Claims	1-11, 13, 14, 16, 18, 19	NO
Inventive step (IS)	Claims		YES
	Claims	12, 15, 17	NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO

2. Citations and explanations

1. In the light of DE-A-196 44 615 (D1), the subject matter of Claims 1-11, 13, 14, 16, 18 and 19 cannot be considered novel (PCT Article 33(2)).

D1 has already disclosed aqueous coating compounds, formed of two constituents and used, in particular in the automotive industry, as electro-conductive primer coats on plastic substrates; said coating compounds comprise exactly the same components as those of the present Claim 1, i.e. polyols, conductive pigments, organic solvents such as xylol, toluol, mesityls or benzyl alcohol and also polyisocyanates - see Claims 1-6; column 1, lines 3-14; column 3, lines 2-54, column 4, lines 10-14 and lines 40-58, column 5, lines 26-67; column 6, lines 32-68. The (chlorinated) polyolefines additionally contained in the coating compounds according to D1 are likewise encompassed by the loosely worded present Claim 1 ("hydroprimer containing..." and the two instances of "constituents containing...").

/...

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

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2. Although the additional features of the dependent Claims 12, 15 and 17 are not disclosed in D1, said features appear to concern conventional measures in the field of coating compounds, which the person skilled in the art would choose, without thereby being inventive, in order to devise further hydroprimers or multi-coat finishes. Said claims do not therefore involve an inventive step (PCT Article 33(3)).